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UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL NORWOOD,
Plaintiff,

1 : CV01-1005

CIVIL NO. _____
(to be supplied by Clerk)

v.

DONALD ROMINE,
Defendant.

**FILED
SCRANTON**

JUN 06 2001

CIVIL COMPLAINT

I. JURISDICTION

PER LMF
DEPUTY CLERK

Jurisdiction of this Court is invoked pursuant to 28 U.S.C.
§ 1331.

II. PLAINTIFF

The plaintiff, Michael Norwood, was and is at all times mentioned in the instant complaint a prisoner of the United States, confined at the United States Penitentiary at Lewisburg, Pennsylvania. The plaintiff is a part of the Nation of Islam.

III. DEFENDANT

Donald Romine, warden at the United States Penitentiary at Lewisburg, Pennsylvania, the defendant, was and is at all times mentioned in the instant complaint legally responsible for regulating prisoner activities at USP Lewisburg, including those relating to religious diets.

IV. FACTS

1. The plaintiff filed a formal appeal to the defendant via the administrative remedy procedure, based on the defendant's failure to provide the plaintiff with a diet that conforms to the dietary laws of the Nation of Islam. In the appeal to the defendant, the plaintiff pointed out that serving him meals previously cooked on utensils that have been used to prepare or serve pork violated the dietary laws of the Nation of Islam. In addition, the plaintiff referenced several sections of the Nation of Islam's holy book, "How to Eat to Live", by the Honorable Elijah Muhammad, which gives believers stern warnings to avoid even incidental contact with pork. Moreover, the plaintiff pointed out that members of the Sunni Muslim group who requested non-pork meals which are served to them using disposable utensils are accommodated by the defendant, while members of the Nation of Islam are not.

2. The plaintiff has exhausted his administrative remedies with respect to his grievance filed with the defendant.

3. The defendant is aware that USP Lewisburg does not have kosher or halal washing facilities in the food-service department.

V. LEGAL CLAIM

The facts related show that the defendant has violated the plaintiff's rights under the Religious Freedom Restoration Act, 42 U.S.C. § 2000bb et seq. See Kikumura v. Hurley, 242 F3d. 950 (10th Cir. 2001).

VI. CAUSE OF ACTION

The defendant, Donald Romine, by his willful and deliberate conduct in refusing to provide the plaintiff with meals prepared with disposable utensils, as required by the tenets of his faith, the Nation of Islam, has violated the plaintiff's rights under the Religious Freedom and Restoration Act, 42 U.S.C. § 2000bb et seq.

VII. RELIEF

The plaintiff seeks the following relief from the Court:

1. A permanent injunction ENJOINING the defendant from serving the plaintiff meals previously prepared with any utensils used to serve or prepare pork;

2. A permanent injunction ENJOINING the defendant from discriminating against the plaintiff while he pursues to adhere to the dietary laws of the Nation of Islam, effective retroactively.

Respectfully submitted,

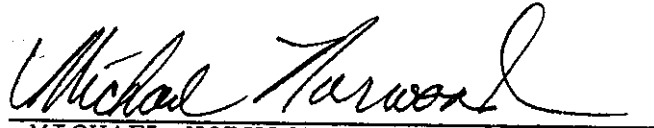


MICHAEL NORWOOD, Pro Se
Reg. No. 06970-014
United States Penitentiary
P.O. Box 1000
Lewisburg, Pa. 17837

Dated: May 17, 2001

VERIFICATION

Pursuant to 28 U.S.C. § 1746, I, Michael Norwood, hereby declare that the allegations contained in this complaint are true and correct.

A handwritten signature in cursive script, reading "Michael Norwood", written in black ink over a horizontal line.

MICHAEL NORWOOD

Dated: May 17, 2001